

EXAMINATION OF THE SHROPSHIRE LOCAL PLAN

HEARING STATEMENT - MATTER 4

Employment Land Need, Requirement and Supply (policy SP2) – see MMs 001 -004

On behalf of:
Manor Oak Homes
Respondent Reference ID: A0379

Date:
September 2024

Reference:
01518/LP Examination Matter 4 (2nd Round)

1.0 Introduction

- 1.1 This statement is prepared on behalf of Manor Oak Homes in relation to **Matter 4 – Employment Land Need, Requirement, and Supply** and provides their brief responses to **Question 1 and 2** raised by the Inspectors principally in respect of the updates to the plan’s evidence base and the resultant Main Modification.
- 1.2 It is noted that the Inspectors’ questions at this stage are supplementary to those asked to inform the first round of hearings and largely seek to interrogate the updated evidence provided by the Council along with the proposed Main Modifications. As such, our responses set out below should be read alongside our comments made towards the initial Matter 3 and 4 sessions in 2022 that tackle the main deficiencies with the Council’s economic development strategy. On review of our statements submitted towards these sessions we can confirm that our position remains unaltered.
- 1.3 Then, this submission is made in the context of Manor Oak Homes’ own land at Battlefield Farm (Site SHR197a), a site that was previously identified as a draft employment allocation in the Regulation 18 draft of the plan and one which is therefore demonstrably suitable and deliverable for employment uses. As will be explained in this statement, our client’s accompanying statements on Matters 2 and 26 the plan as currently drafted constrains the delivery of a site which has been consistently marketed for employment uses since mid-2020 and has during this time generated significant interest from prospective investors and potential occupiers.
- 1.4 What has prevented the progression of our client’s site towards a planning application submission and the inward investment that would be generated by this is the constraining nature of the Council’s proposed development strategy and the exacerbation of this through the high bar set for qualifying applications by the draft plan.
- 1.5 Our additional concerns in respect of the proposed development strategy, not otherwise raised within our response to the initial Matter 3, and how they relate to the economic aspirations of the plan are set out in the following section.

2.0 Response to the Inspectors' Questions

Whether the Plan has been positively prepared and whether it is justified, effective and consistent with national planning policy in relation to the overall need, requirement and supply of employment land.

1. Is the updated approach to the employment land requirement and supply set out in the Council's Updated Housing and Employment Topic Paper – April 2024 (GC45) of minimum of 320 ha of employment land over the plan period of 2016 to 2038, justified, positively prepared and consistent with national policy?

2.1 We consider this question in two parts: requirement; and supply. In summary:

- We consider the requirement to be sound, albeit with the need to increase it proportionately to account for a longer plan period (see our response to Matter 2);
- However, the supply is significantly lacking and based against the updated need figure would result in a deficit of approximately 95ha of land, with the greatest gap in supply at Shrewsbury.

2.2 It is understood that the Council was required to produce the updated Housing and Employment Topic Paper to overcome the confusion of the Inspectors in respect of how the plan requirement for homes and employment land has been derived and how the Council has sought to test the two distinct factors of the plan area's own requirements and the contribution towards the unmet needs of the Black Country separately. In producing this paper, it is noted that the Council took the opportunity to update the overall targets for each in the round, presenting both new housing and employment land figures for the plan period – both higher.

2.3 The central point that has been put to the examination by our client to date, and one which appears to be strengthened by the updated analysis included in the topic paper, is that the Council is currently doing nowhere near enough to meet the needs identified by the plan. This is reflective of the need for Shropshire itself before the application of the 30ha uplift to help satisfy the unmet needs of the Black Country. The need for employment land has increased whilst the position in respect of supply, and the future of key site SHR166 in particular, is even more uncertain. As explained in our response to Matter 2 there is also the complication of the clear essential need to extend the plan period by at least a further two years to 2040 to account for the requirements of the NPPF which means that the employment land requirement must be increased by a further 30ha.

2.4 A key issue identified by the Inspectors in the initial response to the Council, and one which largely prompted a revision of evidence, is that the Shropshire requirement plus uplift was being considered as

a single aggregated figure which led to confusion in the plan's economic strategy and the subsequent way each employment land figure was tested by the Sustainability Appraisal (SA). Accordingly, the Update Topic Paper, aided by the revised SA, helpfully recasts the assessment of employment land need and delivery to ensure the principal assessment is of Shropshire's own economic strategy, with the 30ha proposed to meet the needs of the Black Country (a figure agreed through the Duty to Cooperate) added after this event.

2.5 This exercise, and an effective ring-fencing of the Black Country supply, is coupled with a realisation that the Plan must do more to meet the basic needs of Shropshire. Indeed, it is welcome that upon testing the scenarios the SA concludes that it can do so in a sustainable manner – accordingly, the Update Topic Paper concludes a reversion of the strategy back to the 'High Growth' scenario last considered by the Council at the 'Scale and Distribution of Growth and Development' stage of the Regulation 18 consultation in 2017.

2.6 Resultantly there is to be an increase in the Plan's employment land requirement from the 300ha set out at current draft Policy SP13 (considered to be 270ha for Shropshire plus 30ha to contribute towards the needs of the Black Country) to 320ha (290ha plus 30ha), so an additional need for Shropshire of 20ha (resulting in a 14.5ha annual requirement over the plan period, or 320ha/22 years). Having reviewed both the Topic Paper's working along with the accompanying update to the SA we are prepared to support this uplift, albeit as a minimum, as well as the disaggregation of the Shropshire and Black Country requirements.

2.7 As can be concluded when reading this statement alongside our response to Matters 2 and 26, however, the combination of the 20ha uplift, the extension of the plan period by a further two years (minimum), and the inevitable deletion of Site SHR166 from the plan would result in a **95ha deficit** in supply against need, based on the following (with a particular focus on Shrewsbury). The headline facts are set out below:

- Firstly, the Submission Draft of the Local Plan sought to meet a need for 300ha of employment land across the plan area with a residual requirement of 50ha of additional land at Shrewsbury (it only just meets this need through the sites identified across the plan area);
- Reflecting on the requirement for Shrewsbury only two additional employment allocations are proposed within the plan currently in front of the Inspector. The first of these is merely a constituent parcel of the much larger Mytton Oak development (5ha), while the second is a standalone 45ha plot of land to the west of the A49 situated around 1.5km to the south of our client's land on the eastern edge of Shrewsbury (Site SHR166). If delivered these sites would at best fall below the net residual requirement for additional employment land in the town due to on-site constraints identified in our Regulation 19 response. Regardless, significant issues exist regarding the delivery of Site SHR166 in

its totality which are made clear in our response to Matter 26. Subsequently we expect Site SHR166 to be deleted from the plan with the **loss of 45ha** to the Council's supply.

- Then, and as per the updated Topic Paper, the Council has now committed to increasing its employment land requirement over the current plan period to 2038 by an **additional 20ha** without introducing further employment allocations; and
- Lastly, as is made clear in our response to Matter 2, and the compliance or otherwise of the plan with the NPPF, there is a need to extend the plan period by at least two years to allow a clear 15-year period (minimum) post adoption. Based on an annual employment land requirement of 14.5ha this must result in a requirement of an **additional 30ha** (rounded).

2.8 It is on this basis that the current supply cannot possibly be considered justified or positively prepared and in failing to meet the strategic employment land needs of the plan must also be considered as inconsistent with national policy. There will be a significant deficit in provision at Shrewsbury, a town which whilst comprising Shropshire's key growth point and a centre well aligned to sustainably contribute to the unmet needs of the Black Country, would only receive a net increase of approximately 5ha and then only as part of a far larger residential-led development. As the Council seeks to address this deficiency in supply (and we consider it inevitable that it must to arrive at a sound plan) the bulk – if not all – of the additional employment land should be located at Shrewsbury.

2. What provision is made within the Plan to fulfil the identified unmet employment needs of the Black Country, and will the Plan's approach be effective in addressing this sustainably within the plan period, in accordance with national policy?

2.9 We consider the plan's current approach towards meeting the needs of the Black Country to be inadequate, a point amplified by the Update Topic Paper. Nowhere near enough use is made of Shrewsbury as a growth hub in Shropshire and one well connected to the Black Country Authorities by a series of key transport links.

2.10 Paragraphs 16.156 and 16.157 of the Update Topic Paper play down the adequacy of Shrewsbury as an appropriate location to meet the needs of the Black Country. Despite acknowledging that "*Shrewsbury as a strategic settlement on the M54/A5 corridor offers a potential alternative location to Shifnal to deliver a strategic site to contribute to meeting Black Country employment need*" the paper swiftly rules it out due to its lack of proximity to the Black Country itself.

2.11 However, the functional links between the two are strong with Shrewsbury offering an ideal opportunity to meet the Black Country's needs without any incursion into the Green Belt – a matter which lies at the heart of a significant level of objection to this aspect of the Plan. By way of an example of the clear and strengthening relationship between the two urban areas a recent consultation has been undertaken by

Midland Connect, the operator of the direct rail link between Shrewsbury and Wolverhampton (and then beyond to Birmingham), who submitted a business case to the Department for Transport in August 2022 for enhancements to the line to boost speeds to 90mph. As part of this case, and drawing on the responses of local businesses towards the associated consultation, Midland Connect stated that the sought improvements would boost the local economy including by way of inward investment by £23m with 62% of businesses in the area agreeing that the improvements would enable them to grow.

- 2.12 Since this time Midland Connect has doubled its services on the line (the new timetable commenced in the summer) whilst continuing to lobby the new Government for additional funding to improve the infrastructure itself. This campaign carries the support of several prominent local employers and representative groups, including HM Revenue and Customs based in Wolverhampton and Visit Shropshire, along with the newly appointed MP for Telford and the leader of Shropshire Council.
- 2.13 Then, there are also significant ongoing improvements to the main arterial road route between the two centres – the A5 and M54 – including resurfacing and the construction of a new links between the M54 and M6 north of Wolverhampton. The latter project represents a £200m commitment by National Highways. This corridor is inevitably a key focus for significant growth with Shrewsbury prominent at its western end. To not utilise development opportunities at the town to increase the economic strength of a corridor bookended by it and the Black Country to the east would make little sense.
- 2.14 Paragraph 16.188 of the Update Topic Paper then explains that a key pillar of the exceptional circumstances justifying the removal of land from the Green Belt at Shifnal relate to the benefit of the town and its economy. This view, however, is at odds with those that live and work in the town currently with Shifnal Town Council and Shifnal Matters presenting a significant level of objection to the plan during the examination to date. In which case there is strong merit in investigating whether the exceptional circumstances test has genuinely been passed to warrant allocation at Shifnal and indeed whether the Council's disregard for Shrewsbury as a location at which the needs of the Black Country can be met is justified.

The merits of our client's Site SHR197/SHR197VAR to meet both shortfall and Black Country need

- 2.15 Allowing for our concerns listed above in combination there is clearer merit than ever for the consideration of our client's land (approximately 32ha in total) at Battlefield Roundabout for allocation as one of the Council's key employment sites. Indeed, the Council's inclusion of our client's land at Battlefield Farm in the Regulation 18 Pre-Submission draft was entirely logical and represented a positive response to the issues raised by the Council's own evidence base at the time – to reintroduce it at this stage would represent a similarly logical response now. Across our client's responses to the emerging plan a substantial suite of technical and marketing information was provided to officers demonstrating that our client's site

is both devoid of any physical and environmental constraints and is in a sustainable and commercially desirable location for prospective future investors.

- 2.16 Somewhat perversely, and despite the compelling case put forward in respect of both the merits of our client's land and the issues faced by the current proposed employment sites in the town (SHR166 in particular – see our Matter 26 statement) we now encounter a position where our client's land at Battlefield Farm no longer features in the draft plan before the Inspectors. As we have contested throughout the latter stages of the plan process insufficient clarity is provided by the evidence base to explain or justify the Council's refusal to acknowledge our client's land as an appropriate employment site, particularly considering its location within a strategic corridor.
- 2.17 The plan's evidence base does not identify any technical constraints to the delivery of the site and it goes without saying that its location and relationship with the urban area has remained a constant throughout the plan process – in identifying the site as an allocation in the Pre-Submission draft it was clearly accepted by officers that the site would be able to come forward without any prejudice to the settlement pattern of Shrewsbury. Indeed, the allocation of the site would complement the commercial uses and existing allocations that currently exist on three sides of the roundabout between the A5124/Battlefield Road, Battlefield Road/A49 and A53/Shrewsbury Road spurs. Reflecting on this the marketing report prepared by Andrew Dixon and Co and submitted at Regulation 18 stage stated *"the site would enhance an already established commercial hub to the north of the town and consequently play a key role in ensuring that the Local Authority can provide a flexible and deliverable supply of employment land in Shrewsbury"*. This remains the case.
- 2.18 Otherwise, the site is marketable, viable and almost immediately deliverable. A key focus of officers should be on ensuring any future employment allocations are not only sustainable but offer a high level of certainty that they will be delivered. This is the very best way of securing inward investment without risk to the end user. Since January our client has undertaken a significant level of additional analysis of the site as well as existing commitments and latent demand for commercial sites at Shrewsbury which has resulted in the production of a draft first phases scheme at their land which will meet the needs of three operators seeking to either upscale locally or relocate to Shrewsbury, all of whom have engaged in detailed discussions with our client around site specification.
- 2.19 Whilst we understand that Omission Sites are not being considered at this stage, we respectfully urge the Inspectors to revisit our client's site and proposals upon conclusion of the current sessions as we are clear that there will be an inevitable need for additional land to meet the strategic employment requirements of Shropshire and the Black Country over the plan period.